



2009 Burn Permit Information – Lewis & Clark County

Due to changes in the Lewis & Clark County Burn Permits process, the following Question and Answer information will hopefully address any questions you may have about how burn permits are acquired and activated along with explaining how these changes will affect you as a burn permit holder.

Please Note:

Burn permits will be available via the website starting March 2nd, 2009 at 8am and cannot be obtained before this time. A \$10.00 fee per permit will be collected.

Why do we issue permits?

- To limit the amount of time volunteers spend responding to non-emergency calls and instead allowing them to focus on true emergencies.
- To prevent the unneeded response of fire departments with active lights and sirens that put them at greater risk for potential accidents.
- To limit the number of calls placed to the emergency dispatch and reserve their efforts for true emergencies.
- To track the locations of all approved burns in Lewis & Clark County so dispatch can more easily determine whether a smoke plume/fire is an emergency such as a wildfire or structural fire. By tracking approved burns the fire department may not have to be dispatched each time smoke/fire is reported.

Why are we changing the way burn permits are issued?

- To handle the sheer volume of burn activity in Lewis & Clark County. With over 5,000 permits issued each year and the potential for 400 activations in a single day, the dispatch center simply cannot handle such volume of non-emergency calls without interfering with true emergency traffic.
- To prevent delays for burn permit holders looking to activate a permit.
- To utilize technology to make the process of issuing permits, activating permits and tracking burn locations more efficient and cost effective for Lewis & Clark County.
- To provide the dispatch center with more tools to assist when determining if a report of smoke/fire is a controlled burn or a true emergency.
- To allow Lewis & Clark County residents the ability to obtain and activate burn permits 24 hours per day, 7 days per week on approved burn days.

Why is there a cost now for my burn permit?

- To develop the new tools and technology to help identify a controlled burn versus a true emergency.
- To pay the upfront development costs related to the creation of the website, dispatch interface tools, and the automated phone system.
- Part of the cost of each permit goes to maintain the website, automated phone system, and provides support services.
- To assist with education efforts surrounding the burn permit requirements.

How do I obtain a burn permit?

- Beginning March 2nd, online at <http://www.BurnPermits.mt.gov>; electronic checks and credit/debit cards are accepted
- Beginning March 2nd, by visiting the city/county building reception desk Monday through Friday, 8am to 5pm; cash, check, or credit/debit cards are accepted.
- Beginning March 2nd, call the city/county information desk to request an application through the mail; the numbers are 447-8000 or 1-800-682-0033.
- Visit the West Valley Volunteer Fire station #1 at 1165 Forestvale Road on Saturday March 7th, March 14th, and March 21st between 9:00 and 12:00; electronic checks and credit/debit cards are accepted

How do I activate my burn permit?

- Online at <http://www.BurnPermits.mt.gov>; click on activate burn permit, enter your burn permit number and following the remaining steps.
- By calling our automated phone system at **1-877-453-BURN (2876)**
- Please note, when activating a burn permit it is only active for **a single day**. Should you wish to burn for consecutive days **you must reactivate your permit for each day you intend to burn**.
- When entering a start and stop time for your burn it is important to be as accurate as possible to avoid potential deployment of fire department personnel.

What responsibilities am I assuming when I light my burn?

- You must have enough water, hand tools/equipment, and people to keep your fire under control.
- If you do not activate your permit before burning the Fire Department may respond to your fire even though it is under control because dispatch is unaware it is a controlled burn.
- If the fire escapes your control, you may be cited and fined, as well as having to pay the cost of suppression and any damages caused to someone else's property.
- If your smoke fails to adequately disperse, you could face penalties for violating state air pollution regulations.
- That you will abide by all permit requirements.

What are the possible fines?

- If a person burns without having a permit or for violating rules of a permit they do have, such as failing to activate it as required, violations can be charged under several laws.
 - MCA 7-33-2205 & 2206 deal with the fire seasons and permit requirements. Violations under those codes are a misdemeanor with fines possible up to \$500 and/or 6 months in jail. Average fines are approximately \$285.
 - If a person burns in a manner that is unsafe, damages property belonging to another, or places anyone in danger of injury or death, the Arson laws apply. Negligent arson, MCA 45-6-102, can be either a misdemeanor or felony, depending on the circumstances. Misdemeanor charges can cost up to \$500 and/or up to 6 months in jail. Felony charges can cost up to \$50,000 and/or up to 10 years in prison.
- In all cases, restitution can be ordered separately from the criminal fine. Restitution may include but are not limited to paying damages to other property owners and paying for the firefighting resources.

When can I legally burn?

- The 2009 burn season begins March 2nd and ends November 30th. **Burn Permits will be available starting March 2nd via the website and cannot be obtained before this date.**
- Due to weather or other applicable conditions burning may be closed on any given day. If burning is closed you are prohibited from burning in Lewis & Clark County and **the website and automated phone system will prevent you from activating your permit.**
- **NOTE** – From October 1st to November 30th you are also required to check the air quality for your area **prior** to burning. You may do so by calling the Ventilation Hotline at (406) 444-3490 or 800-225-6779 on the weekends.

Where can I legally burn?

- **Lewis & Clark County** – burning is allowed on private grounds outside of city limits with the exception of Lincoln School District 38.
- **Helena City Limits** – A separate burn permit must be applied for by contacting the City of Helena Fire Department @ 447-8472.
- **East Helena City Limits** – burning is strictly prohibited.

Who can I call if I still have questions?

- Bob Drake, Tri-Lakes Fire Chief 475-3552
- Jerry Shepherd, West Valley Fire Chief 458-3717
- David Hamilton, MT Department of Natural Resources, 458-3526
Central Land Office Rural Fire Specialist

For more information, please visit <http://www.BurnPermits.mt.gov>

Important Burn Permit Information